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Attorney Docket No.: 26418U

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Art Unit: 1642

CAHILL et al.

Examiner: AEDER, Sean E.

Application No.: 10/511,205

Intl. Application No. PCT/EPO3/03982

Filed: February 15, 2005

Intl. Filing Date: 15 April 2003

Title: **USE OF SUBSTANCES FOR TREATING TUMORS**

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Supplemental Information Disclosure Statement;
- 2) PTO Form-1449 with 1 reference cited;
- 3) Copy of the cited reference;
- 4) English Translation of the cited reference;
- 5) Official Action issued on October 13, 2006 in the counterpart Chinese Application;
- 6) English Translation of the Official Action issued on October 13, 2006 in the counterpart Chinese Application

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account Number 14-0112.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

December 4, 2006

By:

Gary M. Nath, Reg. No. 26,965  
Tanya E. Harkins, Reg. No. 52,993  
Customer No. 20529

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Attorney Docket No.: 26418U  
Attorney: GMN / THE / AGZ

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

- a. ☐ The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- b. ☒ The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.  
The enclosed statement is accompanied by [check one]:  
☒ i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or  
☐ ii. a check in the amount required by 37 C.F.R. 1.17(p).
- c. ☐ The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113,

or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

☐ Certification report(e) below; and

☐ a check in the amount as required by 1.17(p).

d. ☐ The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[XXX] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

f. [XXX] If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

g. [XXX] Copies of the documents are attached herewith with a completed Form PTO-1449.


or

- [ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:  
and / or  
[ ] Copies of US Patents/Publications not attached, with a completed Form PTO-1449, as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

December 4, 2006

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**  
By:   
Gary M. Nath, Reg. No. 26,695  
Tanya E. Harkins, Reg. No. 52,993  
Customer No. 20529

ct



**PTO FORM-1449**  
**SUPPLEMENTAL**  
**INFORMATION DISCLOSURE**  
**CITATION**

In re Application of:  
 CAHILL et al.

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 10/511,205

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Examiner:  
 AEDER, Sean E.

Art Unit: 1642

**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed
	A1				
	A2				
	A3				
	A4				

**FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document Number	Publication Date	Country	Translation
	A5				
	A6				
	A7				
	A8				

**OTHER**

	A9	Jianlin et al., "Construction, Expression and Space Conformation Analysis of Anti-Human $\gamma$ -Seminoprotein V <sub>H</sub> Single Domain Antibody Gene", <u>J. of Xi'An Med. Univ.</u> , vol. 22, pp.197-200, 2001.
	A10	
	A11	
	A12	

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609.  
 Draw line through citation if not in conformance and not considered.  
 Include copy of this form with next communication to Applicant.